

Chancellor OKs Credit for Angela Davis Class

Young's Action Backed by UC President as Being in Accord With Order of Court

BY KENNETH REICH

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UCLA Chancellor Charles E. Young Wednesday designated Angela Davis' philosophy class a credit course in response to a Superior Court order.

Young's action, which initially had been opposed by UC General Counsel Thomas J. Cunningham, won the immediate backing of UC President Charles J. Hitch.

Hitch said that to continue restrictions on the Communist professor's course "would have constituted defiance of the court order."

It also was understood that leading members of the UC Board of Regents, which had sought to dismiss Miss Davis because of her Communist Party membership, had acceded to Young's action.

Meanwhile, a downtown Los Angeles attorney, acting on his own behalf, filed a taxpayer's suit seeking a Superior Court order barring Miss Davis from teaching at UCLA.

The grounds cited by Donald C. Gallagher, who has an office at 132 W. 1st St., include state statutes and public trust considerations that he says require the regents to keep the university "entirely independent of all political influences."

Hearing Slated for Nov. 17

A hearing was set for Nov. 17 in the court normally presided over by Judge Richard Schauer.

Young and Hitch said nothing in their formal statements about the debate that led to their decision to designate Miss Davis' course for credit.

However, it was learned from sources close to them that Cunningham initially had advised them that since the Tuesday court order by Judge Jerry Pacht did not specifically mention the question of credit for Miss Davis' course, they were not duty bound to give it.

Young and others pointed out, however, that Pacht had specifically invalidated the Oct. 3 decision of the regents banning Miss Davis from teaching for credit pending the dismissal proceedings against her.

At the same time, Pacht ruled unconstitutional the dismissal proceedings themselves and the regents' 29-year-old policy against employing Communists at UC.

Young and Hitch felt it was clearly implied in the order that Miss Davis' course, "Recurring Philosophical Themes in Black Literature" should be for credit.

They also saw a likelihood that if they did not do so, the judge would issue a new order requiring it.

Hitch Explains Position

In his statement, Hitch said, "I know of no . . . basis under the university's rules and procedures under which the restrictions could have been retained.

"To have retained or have opposed them arbitrarily would have constituted evasion of the court order," he said.

"I said at the very outset of this case that it would probably have to be settled in the courts, and that process is now under way," Hitch declared.

"The university administration will of course follow to the letter any court order—in the Davis case or any other."

The UC president's reference to the judicial process being "under way" was a reference to the strong likelihood that Cunningham's office will appeal Pacht's ruling to the State Court of Appeals.

Hitch said that pending such an appeal, all actions against Miss Davis were being held in "abeyance."

Young's action Wednesday took the form of a letter to UCLA registrar William T. Puckett, erasing a previous instruction he had issued to him Oct. 6.

The text of Young's letter follows:

"On Oct. 6 I wrote advising you that, as a result of the regent's resolution of Oct. 3, 1969, no enrollments could be accepted which would result in credit for any course being offered by Professor Angela Davis.

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"I have been served with an order of the Superior Court declaring that resolution, among others, to be in violation of the California Constitution and the Constitution of the United States of America, and further enjoining the Board of Regents or any of its agents from enforcement of that resolution.

"Accordingly, you are hereby constrained to accept regular enrollments in Philosophy 99 to which Professor Davis had previously been assigned as instructor by the chairman of the department of philosophy.

Jeopardy Nature

"In view of the fact that the general counsel of the regents has announced that appropriate action will be taken seeking reversal of this court order, students enrolled in the course are to be notified that should such action be taken prior to the completion of the quarter, the status of credit for the course may be placed in jeopardy."

Shortly after issuing his statement, Young flew to Washington, D.C., to attend a conference on campus tensions being held under the auspices of the American Council on Education.

"Most of us there will be experts on campus tensions," he remarked.

No serious technical difficulties lay in the way of Miss Davis' course being converted to credit.

IBM cards already had been filed with the registrar for the students wishing to take it since the philosophy department and the UCLA faculty had persisted in holding it to be a credit course all along.

85 Attend Class

About 85 students showed up for Miss Davis' regular lecture Wednesday afternoon. Because it was a nice day, she moved it from a hall in the Dickson Art Center out into the campus' sculpture garden.

Miss Davis, who appeared to be very tired, said her physician had advised her to cut her public engagements in half, and that she hoped to leave the city for a few days to get away from the pressures she has been under.

Her next class will be Monday.

The last regular day for enrolling in courses for the fall term was Tuesday of this week, so it is not expected there will be many additional enrollments, although philosophy department sources said enrollments were sometimes accepted after the deadline by payment of a special fee.

Quotes Legislature

The Gallagher taxpayers' suit filed in Superior Court Wednesday made lengthy references to a 1963 California legislative declaration about the Communist Party.

It quoted it as saying that one of the objectives of the party in California "is to place its members . . . in state-supported educational institutions."

And it noted that the Legislature had declared communism to be "a worldwide revolutionary movement to establish a totalitarian dictatorship based upon force and violence rather than upon law."

The suit also said that Gallagher "is informed and believes" that UCLA philosophy department chairman Donald Kalish, the man instrumental in the hiring of Miss Davis, is also a Communist.

Kalish could not be reached for comment, but a spokesman for him declared of the professor: "He is absolutely not a member of the Communist Party. That is an absurd and ridiculous charge—one more indication of the general air of hysteria and unreason which has pervaded this whole affair."